

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:	)	<b>Customer No.:</b>	49,637
	)		
Richard Marc LIBMAN	)	<b>Confirmation No.:</b>	6844
	)		
Serial No.: 09/592,086	)	<b>Group Art Unit:</b>	3688
	)		
Filed: June 12, 2000	)	<b>Examiner:</b>	Alvarez, Raquel
	)		
For: METHOD AND APPARATUS	)	<b>Attorney Docket No.:</b>	LPL-0008 P3
FOR PREPARING CLIENT	)		
COMMUNICATIONS	)		
INVOLVING FINANCIAL	)		
PRODUCTS AND SERVICES	)		

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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR § 1.97(c)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Under 37 C.F.R. § 1.555, the Applicant is submitting references here that are of record with respect to Applicant's other related applications as well as some others that have come to the Applicant's attention via invalidity contentions filed by defendants in court proceedings pertaining to the present application and other related patents, specifically, U.S. Patent No. 5,987,434, U.S. Patent 6,076,072 and U.S. Patent 6,999,938. The accompanying Forms PTO-1449, list all those references. The references cited in the invalidity contentions with respect to any of U.S. Patent Nos. 5,987,434, 6,076,072, and 6,999,938 are shown with a "+" beside them. The references cited in the invalidity contentions, specifically, with respect to the 6,076,072 patent are shown with a "@" beside them. . Certain references cited in the invalidity contentions have already been cited in prior Information Disclosure Statements (these are indicated with an "\*" beside them).

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The Applicant is submitting copies of the listed items, except for U.S. patents and U.S. patent publication applications, which are believed to be easily accessible to the Examiner. Of course, if the Examiner would like copies of the U.S. patents and U.S. patent publication applications as well, he is respectfully requested to advise the undersigned representatives. The Applicant respectfully requests the Examiner to consider the references cited here and to initial the left-most column of the enclosed Forms PTO-1449, adjacent each reference, and to return a copy for the Applicant's records to ensure that the public record reflects all the references that have been properly cited and considered.

The Applicant respectfully submits that there are other related patents issued and applications pending that may share disclosure that is the same as the present patent. These patents and applications are identified below in the event the Examiner desires to review their prosecution histories:

***U.S. Patent Nos.***

5,987,434; (*confirmed on April 3, 2007 after a first re-examination proceeding, and confirmed again on January 30, 2009; ex parte reexamination certificate (6783<sup>rd</sup>) no. 5,987,434C2 issued on April 21, 2009*)  
6,076,072 (*reexamination granted September 10, 2008*); and  
6,999,938.

***Application Serial Nos.***

10/406,636;  
10/405,950;  
10/405,638;  
11/182,386;  
11/737,735;  
11/615,622  
11/618,366;  
11/741,225;  
11/754,088;  
11/772,119;  
11/772,120;  
90/007,498;  
90/008,900; and  
90/009,226

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Finally, the Applicant respectfully submits below a list of court proceedings relating to the Applicant's other patents.

**Court Proceedings of Related Patents**

1. *Direct Response Corporation, Response Worldwide Insurance Company, and Warner Insurance Company v. LPL Licensing, LLC, and Phoenix Licensing, LLC*, Civil Action No. 2:08-cv-00001-HRH, filed 1/3/08 in United States District Court, District of Arizona
2. *State Farm Mutual Automobile Insurance Company v. LPL Licensing LLC and Phoenix Licensing LLC*, Civil Action No. 2:2007cv01329, filed 7/10/07 in United States District Court, District of Arizona
3. *State Farm Bank, F.S.B. v. LPL Licensing, LLC and Phoenix Licensing, LLC*, Civil Action No. 2:2007cv01895, filed 10/4/07, in United States District Court, District of Arizona
4. *United Services Automobile Association (USAA) v. LPL Licensing LLC and Phoenix Licensing LLC*, Civil Action No. 2:07-cv-01968-FJM, filed 10/12/07, in United States District Court, District of Arizona
5. *Citicorp Credit Services Inc. v. LPL Licensing, LLC and Phoenix Licensing, LLC*, Civil Action No. 1:2007cv00649, filed 10/17/07, in United States District Court, District of Delaware
6. *Discover Products, Inc. v. LPL Licensing, LLC and Phoenix Licensing, LLC*, Civil Action No. 1:2007cv05776, filed 10/12/07, in United States District Court, Northern District of Illinois, Eastern Division
7. *LPL Licensing LLC and Phoenix Licensing LLC v. Chase Manhattan Mortgage Corporation, JP Morgan Chase Bank, N.A., Citibank, N.A., Citibank USA, N.A., CitiBank (South Dakota), N.A., CitiMortgage, Inc., CitiGroup, Inc., Citi Assurance Services Inc., Countrywide Home Loans, Inc., Countrywide Insurance Services, Inc., Discover Financial Services, Inc., Discover Bank, GMAC Mortgage, L.L.C., GMAC Insurance Marketing, Inc., GMCA Bank, Liberty Life Insurance Company, Response Worldwide Insurance Company, Direct Response Corporation, Warner Insurance Company, State Farm Mutual Automobile Insurance Company, State Farm Bank, F.S.B., USAA Federal Savings Bank and USAA Savings Bank*, Civil Action No. 2:2007cv00387, filed 8/31/07, in United States District Court, Eastern District of Texas, Marshall Division
8. *In re LPL and Phoenix Licensing Litigation - MDL*, Civil Action No. MDL no. 1910, filed 10/24/07, Judicial Panel on Multidistrict Litigation

This supplemental information disclosure statement should not be construed as a representation that more material information does not exist or that an exhaustive search of the relevant art has been made. Nor does this supplemental information disclosure statement constitute an admission by the Applicant or the Applicant's representatives that the information

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provided here is necessarily prior art to the Applicant's invention that is claimed in this patent. The references are cited here only because they were brought to the Applicant's attention during prosecution, licensing or litigation, whereby others alleged that they were material to the patentability of claims within the Applicant portfolio and possibly to the present re-examination proceeding. As a result of on-going licensing and litigation, references continue to be cited. Accordingly, this document will be supplemented to the extent additional information becomes available.

The Applicant believes that the invention claimed here is distinct and reserves the right to establish patentability of the claimed invention over the references listed should they be asserted against the Applicant's claims.

Please charge our **Deposit Account No. 50-3102** in the amount of \$180.00 to cover the fee pursuant to 37 CFR § 1.17(p). The Commissioner is authorized to charge any fees required by the filing of these papers, and to credit any overpayment to our Deposit Account No. **50-3102**.

Respectfully submitted,

BERRY & ASSOCIATES P.C.

Dated: June 20, 2009

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